

Notice of Allowability

Application No.

10/634,631

Examiner

Nathan Bloom

Applicant(s)

CARLSON, RALPH L.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/11/2007.
2. ☒ The allowed claim(s) is/are 1,4-6,10,12-16,22, and 25-28 (now renumbered 1-15 for issue).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20070711
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Applicants' response to the last Office Action, filed on May 11th, 2007 has been entered and made of record.

Examiner greatly appreciates the applicant's addition of the Declaration of Commercial Success and Long Felt Need in the response to the Examiner's art rejections.

Response to Arguments

1. Applicant's arguments, see paragraphs 22-44, filed May 11th, 2007, with respect to claims 1, 4-6, 10, 12-16, 22, 25-26, and 27-28 have been fully considered and are persuasive. The rejections of claims 1, 4-6, 10, 12-16, 22, 25-26, and 27-28 have been withdrawn.

Allowable Subject Matter

1. Claims 1, 4-6, 10, 12-16, 22, 25-26, and 27-28 are allowed.

2. The following is an examiner's statement of reasons for allowance: The amendment to claims 1, 10, 25, and 27 added the detail that the spherical object is oriented in three dimensions by the series of workstations and conveyance means. In conjunction with applicant's arguments (as referred to above) Mitoma in combination with Welchman, Gordon, or White (as used in prior rejection) do not teach the coplanar rotation and 90-degree rotation during conveyance of a sphere in all 3 dimensions such that a single point on the sphere is aligned at the end of a series of workstations. Therefore, the amended independent claims 1, 10, 25, and 27 are deemed allowable over the known prior art, as are the claims 4-6, 10, 12-16, 22, 25-26, and 27-28 that depend from them.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Miki (US 2003/0031359) – teaches measurement of 3-D posture and of a spherical object.
- Asakura (US 2001/0043757) – teaches measurement of 3-D rotation necessary to position a mark on the spherical object.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Bloom whose telephone number is 571-272-9321. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm (EST).

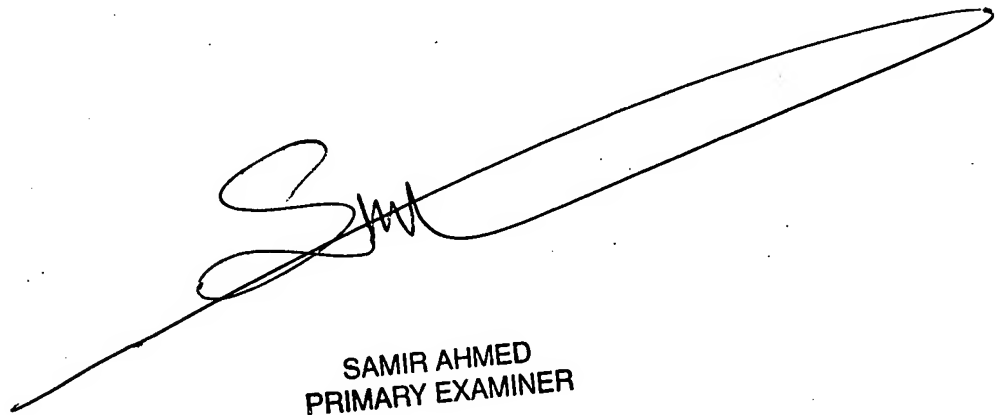
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed, can be reached on 571-272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

01/09/2007

Nathan Bloom

A handwritten signature in black ink, appearing to read 'Samir Ahmed', is written over a diagonal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

**SAMIR AHMED
PRIMARY EXAMINER**